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PATENT
Attorney Docket No.: 082368-008900US
Client Reference No.: ONC-X0309P-US

TOWNSEND and TOWNSEND and CREW LLP

By: /Brien M. Bergner/
Brien M. Bergner

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

NAKAMURA and FURUKAWA

Application No.: 10/589,594

Int'l. Filing Date: February 24, 2004

For: METHOD FOR DIAGNOSING
COLORECTAL CANCERS

Confirmation No.: 8459

Examiner: Not Yet Assigned

Art Unit: 1645

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In compliance with the requirements of 37 CFR §1.98(a)(2), copies of the references are enclosed. Also enclosed is a copy of the Search/Examination report corresponding to the PCT application.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

/Kevin Bastian/

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Substitute for form 1449A&B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/589,594
				Filing Date	February 24, 2004
				First Named Inventor	Nakamura, Yusuke
				Art Unit	1645
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	082368-008900US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁵
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	AA	WO	00/50588	A2	08-31-2000	Incyte Pharmaceuticals, Inc.		<input type="checkbox"/>
	AB	WO	01/60860	A2	08-23-2001	Millennium Predictive Medicine, Inc.		<input type="checkbox"/>
	AC	WO	02/21996	A2	03-21-2002	EOS Biotechnology, Inc.		<input type="checkbox"/>
	AD	WO	2004-001072	A2	12-31-2003	Oncotherapy Science, Inc.		<input type="checkbox"/>
	AE	EP	0284362	A2	09-28-1998	Imperial Chemical Industries PLC		<input type="checkbox"/>

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AF	BUCKHAULTS, Phillip, et al.; "Secreted and Cell Surface Genes Expressed in Benign and Malignant Colorectal Tumors;" <u>Cancer Research</u> ; October 1, 2001; pp. 6996-7001; 61:19.	<input type="checkbox"/>
	AG	KITAHARA, Osamu, et al.; "Alterations of Gene Expression during Colorectal Carcinogenesis Revealed by cDNA Microarrays after Laser-Capture Microdissection of Tumor Tissues and Normal Epithelia;" <u>Cancer Research</u> ; May 1, 2001; pp. 3544-3549; 61:9.	<input type="checkbox"/>
	AH	LIN, Yu-Min, et al.; "Molecular diagnosis of colorectal tumors by expression profiles of 50 genes expressed differentially in adenomas and carcinomas;" <u>Oncogene</u> ; June 13, 2002; pp. 4120-4128; 21:26.	<input type="checkbox"/>
	AI	YANAGAWA, Rempei, et al.; "Genome-Wide Screening of Genes Showing Altered Expression in Liver Metastases of Human Colorectal Cancers by cDNA Microarray;" <u>Neoplasia</u> ; September-October 2001; pp. 395-401; 3:5.	<input type="checkbox"/>
	AJ	ZHANG, Lin, et al.; "Gene Expression Profiles in Normal and Cancer Cells;" <u>Science</u> ; May 23, 1997; pp. 1268-1272; 273:5316.	<input type="checkbox"/>

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.